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Kukla gets life in prison for killing daughters

Father worries she won't get treatment she needs

October 24, 2007

By AMBER HUNT

FREE PRESS STAFF WRITER

Jennifer Kukla, the Macomb County woman convicted of stabbing her two daughters to death, was sentenced today to life in prison without parole.

Kukla, 31, who showed little emotion throughout the trial, sobbed as her father told the judge he feared she wouldn't get the mental health treatment she needed in prison.

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"We fear she will not get mental help, and without it, she will not live," Joseph Kukla said through tears.

Jennifer Kukla was found guilty but mentally ill in the slayings. Her lawyer, Steve Freers, argued that she was legally insane when she attacked daughters Alexandra, 8, and Ashley, 5.

He, too, said he doubted Kukla would get proper mental treatment.

"She's on psychotropic drugs now, and she's seeing a psychologist and psychiatrist," Freers said. "That'll all change when she goes to prison."

Macomb County Circuit Judge Edward Servitto had no discretion in the sentencing. Life without parole is mandatory with the conviction.

Servitto said that he was concerned with the drug abuse Kukla's lawyer acknowledged during trial.

"Whether they had an effect here, I don't know," he said.

Kukla interrupted him: "Really, the only problem was alcohol."

That was her only comment during the trial or sentencing, save answering the judge with "yes, sirs."

Kukla's family declined comment after the sentencing.

As he addressed Servitto, Joseph Kukla said the family misses Alexandra and Ashley terribly.

"We will leave court today to go to the cemetery and put down flowers and tell them their mom and all of us miss and love them," he said.

Contact **AMBER HUNT** at alhunt@freepress.com or 586-469-4682.

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Wednesday, October 24, 2007

Kukla gets life term for killing daughters

Edward L. Cardenas / The Detroit News

MOUNT CLEMENS -- The 31-year-old Macomb Township woman convicted of killing her two young daughters was sentenced to life in prison by Macomb Circuit Court Judge Edward Servitto.

A Macomb County jury deliberated for just over three hours to find Jennifer Kukla guilty on Sept. 12 of first-degree murder, but mentally ill. She will receive treatment for her mental illness in prison.

Kukla was convicted in the deaths of Alexandra, 8, and Ashley, 5, in the early morning hours of Feb. 4 in her Macomb Township mobile home.

Advertisement An emotional Kukla stood before the judge in a blue Macomb County jail jumpsuit with her wrists shackled to a chain around her waist as the sentence was handed down.

Just prior to the sentence, her father, Joseph Kukla, stated his disappointment that the case was tried before a jury and not a bench trial.

He felt the description to the jury of the girls' deaths and the disembowelment of the family's three dogs following the murder was not needed.

"The jury did not need to hear it," said Kukla, who was headed to his granddaughters' graves following the court proceedings.

"When we leave court today, we are going to the cemetery and put down flowers, and tell the girls their mom and all of us miss them and love them."

Attorneys on both sides agreed that Jennifer Kukla is mentally ill. Kukla's attorney, Steven Freers, argued that she was criminally insane and had been hearing voices that told her to kill her children.

"I truly believe at the beginning of the case, and at the end, the only reasonable explanation for Miss Kukla's actions was she was mentally ill at the time of the attack, and she was legally insane," Freers said.

William Cataldo, chief of the prosecutor's homicide unit, argued during the trial that Kukla willingly made choices and knew the difference between right and wrong when she fatally stabbed her children with a kitchen knife.

He argued that the voices she heard in her head also told her to kill herself, an act she couldn't bring herself to do. Officers testified that when they arrived at her house on the day of killing, Kukla told them that she was going to hell.

Freers this morning advised his client to appeal the jury's decision. She had to be sentenced before the appeal can be filed.

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Published October 24, 2007

Mich. woman sentenced to life for killing 2 young daughters

Midday update

Associated Press

MOUNT CLEMENS - A woman will spend the rest of her life in prison for the slashing deaths of her two young children, a judge ruled today.

Jennifer Kukla, 31, was sentenced by Macomb County Circuit Judge Edward Servitto Jr. A jury found Kukla guilty last month of first-degree murder, but mentally ill.

Officers testified that Kukla said she heard the voice of the devil telling her to kill 8-year-old Alexandra and 5-year-old Ashley, and the family's pet dogs in their Macomb Township mobile home.

Police discovered their bodies in February after being called to the home, about 25 miles north of Detroit, by one of Kukla's sisters.

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Detroit Free Press

Macomb County news briefs

October 24, 2007

WASHINGTON TOWNSHIP: Man pleads guilty in baby's death

A man charged in the 2003 slaying of his then-girlfriend's baby daughter pleaded guilty Tuesday to second-degree murder.

Anthony Rizzo, 35, had been accused of hitting 10 1/2 -month-old Kala Faye Kacakaras while her mother was inside a drugstore at 26 Mile and Van Dyke in Washington Township on July 8, 2003.

"We're elated," Macomb County Assistant Prosecutor Steve Kaplan said of Rizzo's plea. "He'll be held accountable for what he did."

Rizzo of St. Clair County's Clay Township had been charged with first-degree murder and first-degree child abuse. He pleaded to the lesser charge as part of a deal.

He's expected to be sentenced Dec. 3 to between 7 1/2 and 20 years in prison.



Man pleads no contest in beating death of infant

Another conviction for cold case unit.

By Jameson Cook
Macomb Daily Staff Writer

A 32-year-old Clay Township man pleaded no contest to second-degree murder for the death of his girlfriend's infant daughter.

Anthony Rizzo faces a likely minimum term of 7 1/2 years in prison when he is sentenced Dec. 4 by Macomb Circuit Judge Richard Caretti.

Rizzo was originally charged with felony murder but was offered a deal to plead guilty to second-degree murder with no objection from Macomb prosecutors in exchange for a sentence at the bottom of the minimum sentencing guidelines, which is 7 1/2 to 12 1/2 years in prison, with a maximum penalty of up to life.

"This was not a premeditated act and it had no appearance that he intended to cause serious injury," assistant Macomb County prosecutor Steven Kaplan said. "Our theory of the case is the defendant lost his composure and hit the child with his hand, fist or palm, and the baby's head hit the car seat."

Rizzo was accused of striking 10-month-old Kala Faye Kacarka of Algonac inside his truck during the 10 minutes that the child's mother, Tracy Ann Kuhr, 24, on July 8, 2003, went into the Rite Aid store at 26 Mile Road and Van Dyke in Washington Township. The baby began experiencing breathing problems and died two days later from blunt force trauma.

No charges were initially filed as Rizzo and Kuhr did not provide enough information in their statements. The Michigan State Police detective in charge of the case retired shortly after the incident. The case was discarded for about three years until Trooper Chris Tuckey began looking into it.

A key to the case came when Kuhr agreed to testify, saying at the June 5 preliminary examination in 42-1 District Court in Romeo that when she left the vehicle the baby appeared fine but when she returned the baby was having trouble breathing.

Kuhr and Rizzo broke up about six to eight months after Kala died, Tuckey said.

The case was prosecuted as part of Prosecutor Eric Smith's cold case unit, which was formed after he took office in 2004 and has gained prosecutions in 15 cases, Kaplan noted.

Kala's father, Jeremiah Kacarka, and great-grandmother, Janet Thueme, attended Tuesday's hearing and said they wished prosecutors pushed for a stiffer sentence and a higher bond until sentencing. Rizzo had been held in the Macomb County Jail but was released in August after the posting of 10 percent of the \$500,000 bond.

"I don't think he should be able to walk around free; he's had four years," Thueme said. "She (Kala) never got a chance for a life."

Kaplan responded: "Based on the circumstances of the case, the defendant is being held accountable on a very high charge."

Kaplan noted that Rizzo likely will not be released at his first chance for parole in 7 1/2 years

and that the family of the victim can talk to the parole board when he is first eligible.

The case was damaged in August when Judge Caretti threw out Rizzo's July 9 statement to Clay Township police because an officer did not read him his Miranda rights. Kaplan said the ruling did not destroy the case because Rizzo corroborated other evidence but did not admit to any wrongdoing.

The underlying charge on the originally felony murder charge was child abuse.

Rizzo's attorney, Jeffrey Stone, declined to comment after the hearing.

Stone said his client does not admit to them. The no contest plea is treated as a guilty plea in criminal court but provides Rizzo with legal protection in civil court.

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http://www.macombdaily.com/stories/102407/loc_baby001.shtml

2 men charged in Warren baby's mauling by dog

October 24, 2007

By AMBER HUNT

FREE PRESS STAFF WRITER

Two men have been charged with involuntary manslaughter in the death of a 3-month-old Warren girl who was attacked by the men's rottweiler.

Chris Fura, 19, and Jason Winters, 22, also were charged with second-degree child abuse. They face up to 15 years for the manslaughter charge and four years for child abuse.

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The men were arraigned on the charges today. Macomb County Prosecutor Eric Smith said investigators spent five weeks trying to determine if the men knew that the dog, which they'd owned for just 10 days, was aggressive.

"The dog had bitten Fura and had been aggressive toward the child," Smith said. "They were on notice that this was an aggressive dog, but they still brought it to a home where they knew children were and they didn't take any steps to secure it."

Kylie Cox was strapped in a car seat in a house on Toepfer Road. Her mother, Alexis, was warming up a bottle and a friend was taking Kylie out of the seat when the attack occurred, police said.

Fura told the Free Press after the attack that he believed the dog had mistaken Kylie for a stuffed animal and was just trying to play.

Fura and Winters were released on a \$100,000 personal bond. The preliminary exam is set for Nov. 1.

Contact **AMBER HUNT** at alhunt@freepress.com.

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Mom is declared not guilty

Wednesday, October 24, 2007

By Danielle Quisenberry%%par%%

dquisenberry@citpat.com -- 768-4929%%par%%

As those who pushed for her prosecution watched, a teary-eyed Crystal Richardson-Poster embraced her family after a judge ruled she is not guilty of killing her baby daughter.

"Oh yes, sob away. Sob away. You know you did it," 9-month-old McKenzie Zukowski's grandmother, Glenna Hale, said loudly across the courtroom.

But Jackson County Chief Circuit Judge Chad Schmucker ruled Tuesday during a bench trial there was not sufficient evidence against Richardson-Poster, 24, to convict her of open murder.

"I cannot convict the defendant because I have reasonable doubt," Schmucker said after about 15 minutes of deliberation and less than two days of testimony.

Richardson-Poster and her family and friends were visibly pleased as they left the courtroom.

"I just praise God. That's all I have to say," Richardson-Poster said. "I can go on with my life."

Schmucker, acting on a motion by defense lawyer Ivan Brown, made his ruling after the prosecution rested its case.

Chief Assistant Prosecutor Mark Blumer argued Richardson-Poster used a plastic bag to suffocate McKenzie on July 31, 2003, inside her friend's Norvell Township mobile home.

Blumer said she did so to keep the baby's father, Benjamin Zukowski, from having parental time with the girl, to please a boyfriend made uneasy by her child, or to injure McKenzie for attention.

Schmucker said he didn't buy any of the motive arguments.

He said he put little weight in the testimony of several people who said Richardson-Poster acted inappropriately or cold at the baby's funeral. "I don't know if anyone really knows how someone acts after the death of a child," Schmucker said.

The judge said he was not entirely convinced Richardson-Poster had no involvement in the girl's death.

She made it clear she recognized some responsibility by failing to immediately tell police she found a plastic bag on McKenzie's face the day of her death, Schmucker said.

Richardson-Poster's mother, Shirley Richardson of Cement City, testified Tuesday she convinced her daughter to disclose the information in December 2003. Together, they met with Jackson County sheriff's detective Sgt. Lee Rose.

Shirley Richardson said her daughter did not talk about the bag earlier because she didn't want people to think she was a bad mother.

Most witnesses said Richardson-Poster was an attentive mom who did not abuse her daughter. A medical examiner ruled McKenzie was an otherwise healthy girl who died of asphyxia by plastic bag.

Schmucker said he could not rule out the possibility McKenzie died accidentally.

Dr. John Maino, Jackson County medical examiner and head of emergency medicine at Foote Hospital, initially ruled the cause of death was pending. After Richardson-Poster disclosed the bag information, Maino changed the cause of death.

Under questioning by Schmucker, Maino said he could not rule out that the girl died by ``positional asphyxia," such as getting her head wedged against a bed pad.

Benjamin Zukowski, who with his family pushed for prosecution for several years, was despondent after the acquittal.

``We didn't get a fair hearing, but it is what it is and I'll have to deal with it," he said while standing with his stepfather and mother, Glenna Hale.

``There should be some accounting for what she did," Hale said.

Blumer said the ruling was ``very disappointing," but the evidence was all circumstantial. He called the case a ``coin toss."

``We knew from the beginning this was marginal," he said.

Despite the outcome, Blumer said he disagreed with Schmucker about the possibility of an accidental death. It was not an accident, he said.

``This is one of those cases where the only one that knows what occurred is her and God," Brown, Richardson-Poster's defense attorney, said.

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PART TWO OF TWO

Oversight lacking in hospital charity care

They say patients up, funding is down

October 24, 2007

BY PATRICIA ANSTETT and RUBY L. BAILEY

FREE PRESS STAFF WRITERS

Michigan's high unemployment and a steady decline in employer health benefits are taking a hefty toll on hospitals.

More people are ignoring their bills. Thousands need free care. Institutional spending on free and discounted community health programs is growing as support from state and federal governments disappears.

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"We believe it's only going to get worse over time as people lose insurance and employers are covering less," said Nick Vitale, chief financial officer of Beaumont Hospitals, Royal Oak.

While no one questions the key role Michigan hospitals play in their communities, it's virtually impossible to determine which provide the most free care or how much Michigan gives them in tax breaks, according to a review of charity care and community health spending by the Free Press.

That's because Michigan remains a state with little scrutiny of charity care spending by its nonprofit hospitals as calls increase for greater accountability in a dozen states and from a key U.S. senator.

The Free Press review found:

- Different hospitals count in different ways what they spend on free care. Some hospitals include uncollected bills and so-called Medicare losses in their estimates. The Henry Ford Health System doesn't tabulate how much it spends on community health programs, though it hopes to do so in the future.

Public health groups favor the method recommended by the Catholic Hospital Association, stipulating that hospitals count only free care, Medicaid losses and spending on community health programs -- but not uncollected bills.

- No state agency routinely measures how much Michigan hospitals get in tax breaks. The last audit was done in 1996 by Michigan's Department of Treasury. Michigan hasn't required nonprofit hospitals to report spending to the Attorney General's Office since 1975, when the Legislature exempted hospitals from scrutiny.

Trying to make a change

With help from the Senate Fiscal Agency, state Sen. Hansen Clarke, D-Detroit, revised the 1996 figures to estimate that Michigan hospitals get at least \$600 million in tax breaks from the state each year.

Clarke wants stricter accounting standards on free care. He also favors requirements that hospitals spend a minimum percentage on community health benefits. He and five other Democratic Detroit legislators asked Attorney General Mike Cox earlier this year to investigate the tax-exempt status of the Warren-based St. John Health system after it closed in-patient care at its Detroit Riverview Hospital.

Cox said at the time he has no authority to investigate hospital spending on free care.

But in a written response to Free Press questions, Cox said that his department is "considering the issue of hospitals filing more financial data with the state."

"Nonprofit hospitals have an obligation to local communities, if only because they are not taxed," Cox said in the statement.

In July, the Internal Revenue Service released a report that found big differences in the amount of uncompensated care hospitals provide.

Of 472 hospitals surveyed, 45% spent 3% or less of their total revenue on uncompensated care, while 41% reported spending 5% or more.

"It's troubling that even the overly broad figures paint a bad picture of a significant number of nonprofit hospitals doing very little charity care," U.S. Sen. Chuck Grassley, R-Iowa, said in a July statement.

Hospitals were "all over the map in defining charity care" in the IRS report, said Grassley, the ranking Republican on the Senate Finance Committee. Since 2004, Grassley has been asking for tighter standards on hospital tax-exempt status.

Nationwide, nonprofit hospitals receive between \$12.6 billion and \$20 billion in federal, state and local tax exemptions, according to a 2005 report from the Congressional Budget Office.

Charity care relies on tax breaks

Tax breaks are critical to nonprofit hospitals fulfilling their mission as charitable institutions, hospital executives say.

"If we had to pay taxes, there would be fewer resources we'd have to spend on people who couldn't pay for their care," Patrick McGuire, chief financial officer of St. John Health.

"We may look like a big business, but we don't act like one," said Douglas Weldon, executive vice president and chief financial officer of Dearborn-based Oakwood Healthcare Inc. "We are a big charitable, nonprofit organization.

"We're one of the largest employers in Wayne County. ... We operate an emergency department 24-7. Anybody that comes to the hospital gets treated appropriately without regard to not only their medical status, but also their ability to pay. After we provide that care, it's our responsibility to find out if a person has the resources to pay for the care. And we provide a whole laundry list of other community activities as part of our charitable mission that we report to the community. A pure for-profit enterprise wouldn't do that."

Samar Hazimeh, 23, of Dearborn Heights is grateful to Oakwood for paying a \$7,000 bill she incurred last year at its Oakwood Hospital and Medical Center in Dearborn.

Several days after she miscarried, she developed severe abdominal pain. She was hospitalized at Oakwood for two days but couldn't pay the bill, said Hazimeh, then a student at Henry Ford Community College.

"At the time my husband and I were going through a very difficult situation," Hazimeh said.

Initially, the hospital offered payment arrangements of \$300 monthly, but she couldn't afford them. Instead, she offered \$50.

The worker told her about the hospital's program to assist those financially unable to pay their medical bills. Hazimeh filled out the required forms and showed proof of income.

A few weeks later she got a call. Because her family's income fell within 400% of federal poverty guidelines, she qualified for free care.

"They were happy to pay for my bill," Hazimeh said. "They paid off my whole balance. Words can't even describe how I felt at the time."

Elizabeth Roy found similar help with her bills from the Warren-based St. John Health system.

Roy, 60, moved to Royal Oak from Alabama in 1998 to take care of her elderly parents. She ignored her health while she took care of them.

After they died a few years ago, she and her sister began calling local hospitals. Her eyesight had failed so much she was legally blind. She left many messages that went unreturned.

After calling St. John Hospital and Medical Center, she was referred to their St. John Health Community Health Clinic on Gratiot in Detroit, which accepts patients without insurance. Payments are on an ability-to-pay basis. Roy hadn't seen a doctor in 18 years, she said.

After registering at the clinic, she was referred to a St. John program called Physicians Who Care, a network of 400 St. John specialists who see uninsured patients. Through those referrals and care at the clinic, she has been treated for a urinary tract infection, cataracts, gallstones, diabetes and a skin disease.

PART TWO OF TWO: Oversight lacking in hospital charity care

She had cataract surgery on both eyes in January 2006. Her vision is 20/20 again.

She hopes to receive Medicare benefits this fall.

"I never thought I'd be in a position like this, where I needed to rely on someone else to get care," she said.

Contact **PATRICIA ANSTETT** at 313-222-5021 or panstett@freepress.com.

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Metro Detroit hospitals' charity care

October 24, 2007

Here's what the seven largest health systems in metro Detroit spent in fiscal 2006 on charity care, Medicaid losses and community health programs, compared with total revenue and net income or losses. The figures are based on consolidated revenues for the health system's hospitals in southeast Michigan.

Hospital system	Total revenue (consolidated)	>	Net income (gain/loss)	>	Charity care	>	Medicaid losses	>	Community health spending
Detroit Medical Center	\$1.8 billion	>	\$16.1 million	>	\$66.2 million	>	\$117 million	>	\$109.1 million
St. John Health	\$1.8 billion**	>	\$35.2 million**	>	\$15.2 million**	>	\$65 million	>	\$38.9 million
Trinity Health	\$1.2 billion	>	\$98.4 million	>	\$10 million	>	\$24.6 million	>	\$34.5 million *
Beaumont Hospitals	\$1.7 billion	>	\$52 million	>	\$7.2 million	>	\$22.8 million	>	\$29 million
Oakwood Healthcare	\$950.3 million	>	\$35.5 million	>	\$1.4 million	>	\$27.4 million	>	\$3 million
Henry Ford Health System	\$3.2 billion	>	\$135 million	>	\$13.4 million	>	\$49 million	>	Not tabulated
McLaren Health Care	\$2.3 billion	>	\$32 million	>	\$28 million	>	\$25 million	>	\$14 million

*Includes \$16.5 million for programs for the poor and \$18 million for other community health programs.

** 2007 figures

Compiled by Patricia Anstett

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Wednesday, October 24, 2007

Two die in apparent murder-suicide

Daughter recently hospitalized over suicidal thoughts is found dead with her elderly mother.

George Hunter / The Detroit News

STERLING HEIGHTS -- Just hours after doctors released a suicidal 61-year-old woman from the hospital, she killed her elderly mother and then committed suicide, police said.

Officers found the bodies of Lois Radlick and her mother, Elsie Coryell, lying on the floor of their garage Monday in the home they shared on Tericrest Drive.

Radlick's co-worker became concerned when she did not show up to work for several days and called police, Sterling Heights Lt. Michael Reese said.

Advertisement "Officers opened the garage door and found the two bodies lying side-by-side on the floor," Reese said. "It appears the daughter hit her mother over the head several times and then she turned on the ignitions of a car and a motorcycle that were in the garage. Then she lay down next to her mother to die. That's how we found them."

Coryell had several lacerations on her head, and both women had red skin, which is an indication of carbon monoxide poisoning, Reese said. "The batteries on the vehicles were both spent," he said.

Radlick had called police Oct. 17 and told them she was arguing with her mother, and that she was going to kill herself, Reese said.

"An officer went to check it out, and after talking to her he determined she did seem suicidal," Reese said. "So he had her committed for psychiatric evaluation at Henry Ford Macomb Hospital."

When police bring someone in for a psychiatric evaluation, a doctor must give the patient a clean bill of health before they are released, hospital spokeswoman Suzanne Schut said.

Although Schut would not discuss details of Radlick's case, she did say she would not have been released unless a doctor first evaluated her.

"If someone is clearly a threat to themselves or others based on the doctor's evaluation, then they can't leave on their own," Schut said.

Radlick had been arguing with her mother for several weeks, Reese said.

He said Radlick worked at a pharmaceutical firm, although he did not disclose her employer.

Macomb County Chief Medical Examiner Daniel Spitz conducted an autopsy on the bodies Tuesday.

Neighbors said they never noticed anything out of the ordinary at the home.

"I would see the mother working in her lawn, but I never heard any arguing over there," said Linda Larson, who lives two houses away on the cul-de-sac. "They kept to themselves."

The deaths of Coryell and Radlick mark the second murder-suicide on Tericrest Drive in recent years. In October, 2004, Amrik Singh knocked out his wife, Baljinderjit Singh, and set their home on fire. Police ruled the incident -- which happened across the street from Coryell and Radlick's home -- a murder-suicide.

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NEW! Murder-suicide suspected in women's deaths in Sterling Heights

Of The Oakland Press

STERLING HEIGHTS -- Police believe a 61-year-old Sterling Heights woman killed her elderly mother before killing herself.

The bodies of the two women were found inside the garage of a Sterling Heights home at 12:45 p.m. Monday.

Police identified the women as Elsie Coryell, 87, and Lois Radlick, Coryell's daughter.

Their bodies were found in home of Radlick, located on the 37000 block of Tericrest Drive. Police had responded to a welfare check after Radlick had not been seen in recent days. Coryell was also a Sterling Heights resident.

According to police, Coryell had several lacerations on her face. Police, in a statement, said they believe Radlick had killed Coryell after an argument turned violent.

Then, police said, investigators believe that Radlick started vehicles with the garage doors closed and killed herself. Autopsies are being performed today.

Radlick had been picked up by police for a psychological evaluation after prior investigations into the intensified arguing between the mother and daughter. Radlick was subsequently released from the hospital.

Police said they believe the deaths occurred between Oct. 17 and Oct. 22.

Anyone with information about this incident or the mother and daughter should contact Sterling Heights police Detective Paul Reno at (586) 446-2848.

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Negotiators toss numbers

Despite deadline, government runs

October 24, 2007

BY CHRIS CHRISTOFF

FREE PRESS LANSING BUREAU CHIEF

LANSING -- Closed-door negotiations to nail down a 2007-08 state budget with \$435 million in spending cuts continued Tuesday evening, a sign that legislative leaders and Gov. Jennifer Granholm's budget officials might reach agreement before an Oct. 31 deadline.

That's when a temporary budget extension expires under the Oct. 1 agreement that raised the state income tax and imposed a tax on services to generate an additional \$1.3 billion in revenue.

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Even if talks drag past next week's deadline, no government shutdown is expected. Any impasses are likely to result in further extension of specific budgets.

But serious disagreements remained Tuesday over proposed cuts to Medicaid, foster care and adoptions, and over fee increases for hunting and fishing and environmental permits.

Also at issue is whether to create a two-tiered system to fund universities, with the three largest -- University of Michigan, Michigan State and Wayne State -- in a separate category to address their research programs.

One area where agreement was reached last month is a 1% increase in state funding to public schools and universities. That is scaled back from a 2.5% increase that was considered earlier this year.

Contact **CHRIS CHRISTOFF** at 517-372-8660 or christoff@freepress.com

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Wednesday, October 24, 2007

Legislators optimistic on budget as deadline nears But both sides stuck on Medicaid, arts, cultural funding, privatizing programs, school aid.

Gary Heinlein and Mark Hornbeck / Detroit News Lansing Bureau

LANSING -- Legislative leaders and administration officials said Tuesday they can reach a final budget deal without a government shutdown or 30-day extension of the temporary budget now in effect.

Leaders pledged to sharpen their pencils and work Tuesday night on \$433 million in spending cuts needed to complete the balancing of the new budget.

No budget bills have been passed for the 2008 fiscal year, which started Oct. 1, and the temporary budget -- an extension of the fiscal 2007 spending plan -- expires at midnight Oct. 31. Lawmakers have scheduled rare session days on Friday and Monday, in case they are needed.

Advertisement "I think we'll get there because the issues are narrower," said Democratic Rep. George Cushingberry of Detroit, chairman of the House Appropriations Committee. "The six or seven sticking points seem to be resolvable."

That's similar to optimistic -- and incorrect -- predictions made in Lansing as lawmakers entered marathon sessions last month.

Then, no agreement was reached until past 4 a.m. Oct. 1 -- more than four hours into the new budget year. Government technically was shut down more than four hours while most taxpayers slept, and the Legislature hit them with \$1.3 billion in tax increases to help wipe out a projected shortfall of \$1.75 billion for the year ahead.

The temporary budget also was a product of the early-hours maneuvering. On Tuesday, the Senate laid the groundwork to extend that emergency budget another 30 days.

"It's a precautionary move," said Matt Marsden, spokesman for Senate Majority Leader Mike Bishop, R-Rochester. "We have no reason not to be moving forward. We have a budget agreement."

Added Leslee Fritz, spokeswoman for State Budget Director Bob Emerson: "There's some sense of optimism. Realistically, there still are a number of session days left to get this done."

Despite general agreement on the \$433 million in cuts, the two sides are stuck over:

- Discontinuing Medicaid health care coverage for 19- and 20-year-olds and relatives caring for single mothers.
- Privatizing state foster care and juvenile justice programs.
- Charging more for hunting licenses, fishing licenses and environmental permits.
- Cutting some funding that supports arts and cultural institutions, such as the Detroit Zoo and Detroit Institute of the Arts.
- Fostering shared research among the three biggest universities -- Michigan State, U-M and Wayne State -- by funding them separately from the other 12 public universities.
- Pumping extra money into the lowest-spending public school districts so they can catch up with the highest-funded districts.

Cushingberry said Gov. Jennifer Granholm has vowed to veto any proposal to eliminate Medicaid programs or lay off social services workers. He also said the Republican-dominated Senate is pushing for the privatization moves in juvenile justice and foster care.

Commented Granholm spokeswoman Liz Boyd: "We can't speculate on what the governor will sign until it reaches her desk, but the governor repeatedly has said she won't cut people off health care."

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Issues in state budget dispute appear to be narrowing

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By TIM MARTIN
The Associated Press

LANSING, Mich. (AP) — Roughly a half-dozen key areas of disagreement remain among lawmakers trying to balance the state's budget before next week's deadline to avoid another potential partial government shutdown.

There's a lot of work to be done. Not a single departmental budget bill for the new fiscal year has cleared the Legislature.

But both Democrats and Republicans said Tuesday they were hopeful differences would be worked out before Oct. 31, the end of a 30-day budget extension that now guides Michigan's government spending.

Lawmakers need to make more than \$430 million in cuts to balance the budget, even though they've already agreed to raise the state income tax and expand the sales tax to some services.

Perhaps the biggest area of disagreement is over Medicaid, the federal-state health program for low-income people. Some Republicans have proposed ending Medicaid coverage for 19- and 20-year-olds and for adults who get coverage because they take care of children covered by Medicaid.

But Democrats don't want to end those benefits. They say it could further drive up costs for hospitals that have to take care of the uninsured, which could raise health coverage costs for everyone else. They'd prefer cutting reimbursement rates for doctors and others providing Medicaid-covered health care services.

Differences also remain over proposed fee increases for state natural resources and environmental departments, whether some state social services such as adoption should be privatized and how funding for K-12 schools and universities should be split up.

Money for the arts and zoo programs, particularly in Detroit, also could be an issue.

"All of those sticking points seem to be resolvable," said House Appropriations Committee Chairman George Cushingberry Jr., a Detroit Democrat. "I'm not as pessimistic as some."

House and Senate leaders continued meeting late Tuesday afternoon to try and resolve the remaining issues. The Legislature has scheduled tentative extra sessions for Friday and Monday in case they are needed, and some lawmakers aren't ruling out the possibility of a weekend session this Saturday and Sunday to get the budgets passed.

Neither Democrats or Republicans appear to want another temporary budget extension like the one that wasn't signed until a partial government shutdown had begun in the early hours of Oct. 1.

Any delay could cause more cash flow problems for the state, and Republicans say that avoiding the cuts through one-time fixes or accounting maneuvers would leave them dealing with many of the same budget problems in a year or less.

"We're not even interested in a continuation budget at this point," said Matt Marsden, a spokesman for Republican Senate Majority Leader Mike Bishop of Rochester. "There is no reason not to get this done."

Despite the \$1.3 billion in tax increases put in place, the budget remains tight, making it tough for lawmakers to figure out how much money they can set aside to help the state's lowest-funded K-12 school districts catch up with the highest-funded districts. The gap between the two can run as high as \$5,000 per student.

And some lawmakers want to separate funding for the University of Michigan, Wayne State University and Michigan State University from the state's 12 other universities, noting they have more of a role in research.

Keweenaw County DHS is looking for a home



CAPTION: Daily Mining Gazette/Jane Nordberg

The Mohawk Secretary of State's office is the current site for the Keweenaw Department of Human Services, although recent restrictions have limited its service hours. It remains unclear whether future DHS services will remain in the building.

By JANE NORDBERG

DMG Writer

ALLOUEZ — Communication problems and red tape have left Keweenaw County's Department of Human Services personnel unsure of their future location.

According to Keweenaw County Commissioner Joe Langdon, who serves on the DHS board, the department operated out of a stand-alone building in Allouez until the recent past, when a decision was made to move the offices to the Secretary of State's office in Mohawk.

Since the Secretary of State's office operated only two days in the summer, and one day a week in the winter, Langdon said, it seemed logical to have the DHS using the building on the days when the Secretary of State wasn't operating.

"It was shared usage but on different days, that was the mindset," he said.

However, a conflict arose after DHS personnel moved into the building and were told they would have to use a separate office in the back.

"It was quite small and didn't work as well for them," Langdon said.

In addition, DHS personnel were subsequently informed that they could not be in the building unless the Secretary of State office was operating.

"There was a change in requirements in Lansing and they told us it was an equipment security issue," Langdon said.

That "sort of defeated the whole purpose," he said, since the idea was to provide a better level of service two days a week by sharing the office.

"After that, it went back and forth with them not listening to our needs," he said.

As of Oct. 1, the Mohawk Secretary of State has gone to being open only on Thursdays.

Subsequent discussions with Lansing have stalled, Langdon said.

"I asked them if they were aware that the Secretary of State up here was only open one day a week, and they said they weren't," he said. "But we're still going back and forth without any resolution to this problem."

The opportunity exists for the county DHS to return to its old building in Allouez, he said. Another possibility is the Allouez Community Center.

"We're trying to find another location we can move to but cost is a major issue," he said.

In the meantime, the DHS office remains in Mohawk. Langdon continues to request officials change their stance on allowing the office to share the space without restrictions.

"This is one of those cases where a decision was made by the bureaucracy someplace and they never followed up with the impact it would have," he said. "That office serves a lot of people, and I'm concerned residents aren't being served in the manner they should be."

Louisa Wills, director of the DHS offices in Keweenaw, Houghton and Baraga counties, referred comments Thursday to Karen Stock of the DHS communications department in Lansing. Stock said Friday she was unaware of the situation, and would provide a comment, which did not arrive by press time.

"we're working with sec of state to try to get into that building more than once a week, but what we have to do is come up with an agreement between the two departments to do that in an appropriate way. so Lansing ppl are working on that agreement. once that's in place, we'll be able to be there three days a week," Russell Sexton, acting Region 1 manager, which covers the Upper Peninsula.

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